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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KATHLEEN VENTIMIGLIA,)
individually, and as the Guardian Ad Litem)
for STEPHEN VENTIMILIA and KELLIE)
VENTIMILIA,)
Plaintiffs,)
v.)
UNITED STATES OF AMERICA,)
CHAMBLIN-LANDES)
CONSTRUCTION, INC., a California)
corporation, and DOES 1-50, inclusive,)
Defendants)

No. 07-05481 RS

**DEFENDANT USA'S STATEMENT
OF NONOPPOSITION TO
PLAINTIFF'S MOTION FOR LEAVE
TO FILE FIRST AMENDED
COMPLAINT**

Pursuant to Civil Local Rule 7-3(b), defendant United States of America (“USA”)

hereby states that it does not oppose plaintiff's motion for leave to file a first amended complaint.

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1 Because it appears that new allegations of the proposed amended complaint do not
2 relate to defendant USA, defendant USA requests that any order granting plaintiff's motion
3 state that defendant USA need not file an answer to the amended complaint.

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5 DATED: August 27, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

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7 /s/ Claire T. Cormier

8 CLAIRE T. CORMIER
9 Assistant United States Attorney